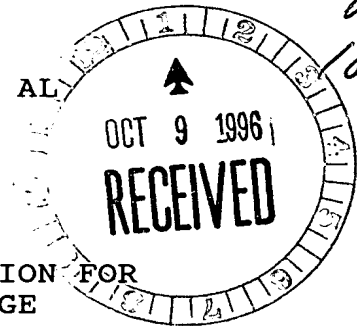


17/ Reg for
Recons

Docket No. 4733

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: Eugene P. GOLDBERG, ET AL
Serial No.: 08/141,017
Filed: October 26, 1993
For: METHOD OF AND COMPOSITION FOR
PREVENTING TISSUE DAMAGE
Art Unit: 1502 ✓
Examiner: Edward J. Webman



RESPONSE TO OFFICE ACTION

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

In response to the Official Letter mailed July 16, 1996, please reconsider the above-captioned application in light of the following remarks.

REMARKS

The rejection of the claims under 35 USC §103 as unpatentable over Balazs is respectfully traversed. The crux of the Examiner's argument is that since Balazs teaches applying hyaluronic acid for protecting tissues during surgical manipulations, the reference "indicates application prior to manipulation." [Emphasis added.] It is not seen how the terms "during" and "prior" can be logically equated by the Examiner. Webster's Collegiate Dictionary (10th edition, 1994) defines "during" as "at a point in the course of"